



Convention on the Elimination of All Forms of Discrimination against Women

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Committee on the Elimination of Discrimination against Women

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List of issues and questions with regard to the consideration of periodic reports

New Zealand

1. The pre-session working group considered the seventh periodic report of New Zealand (CEDAW/C/NZL/7).

General

2. Please clarify whether statistical data disaggregated by sex and ethnicity pertaining to the main areas and provisions of the Convention will be included in the report “Indicators for change: tracking the progress of New Zealand women”. If not, please indicate how this lack of adequate data will be overcome. Please provide statistical and other information on the concrete results achieved in eliminating discrimination against women.

Legislative and institutional framework

3. According to paragraph 205 of the core document (HRI/CORE/NZL/2010), for an individual to have a case on rights protected by international human rights instruments, those rights need to be incorporated into domestic statute law. Please clarify whether a specific statute to achieve the Convention’s full domestic implementation or other relevant legislation has been enacted. In this context, please provide information on cases in which the provisions of the Convention have been invoked or referred to in national courts, as well as the outcome of such cases. Please provide detailed information on actions taken to ensure that women are aware that the Optional Protocol to the Convention is a means of redress and that they can claim their rights under this procedure.



National machinery for the advancement of women

4. Please provide concrete information on actions taken to put in place an effective strategy to mainstream gender perspectives into all national plans and institutions, as requested by the Committee in its previous concluding observations (CEDAW/C/NZL/CO/6, para. 15).

5. Please provide information on the development of a new action plan for women. Have the results of the latest “Indicators for change” report (2009) and of the 52 regional meetings on the goals and priorities regarding women’s issues been taken into consideration in the development of such a plan? What is the added value of the discussion document on human rights and women prepared by the Human Rights Commission in March 2010, mentioned in appendix A to the report, to the process of developing a new action plan for women?

Stereotypes and harmful practices

6. According to information received by the Committee, gender stereotypes are reinforced by the media. Please provide information on measures in place to monitor the recommendations made to the Advertising Standards Authority regarding marketing campaigns discriminatory to women.

Violence against women

7. Please clarify and explain the type of differences that exist among groups, to which the report refers in paragraph 160, which prevent the State party from obtaining an accurate picture of the extent of violence against women in its territory. Please provide information on measures taken to solve these differences in order to effectively tackle the issue of violence against women. According to paragraph 162 of the report, registered domestic violence rates have increased from 29,756 in 2005 to 44,628 in 2008. Please provide updated information and indicate the number of investigations, convictions and sanctions imposed on the perpetrators of the cases reported.

8. The report mentions in paragraph 176 that the Task Force for Action on Sexual Violence released a report in October 2009 in which it made 71 recommendations to the Government. Please provide information on the measures in place to implement those recommendations. Please also provide detailed information on steps taken to improve the safety and longer-term well-being of women victims/survivors of sexual violence, as mentioned in paragraph 178 of the report, and indicate whether similar steps will be taken to protect girls who are victims of sexual violence.

Trafficking and exploitation of prostitution

9. According to information received, migrant girls are exploited for the purpose of prostitution. Please elaborate on whether these cases, under the law, would be considered as trafficking or whether they would fall into the category of the cases referred to in paragraph 26 of the report. Please provide information on measures taken or envisaged to address the exploitation of migrant workers who, according to

information received, are trapped in the sex industry or in forced labour on farms and deprived of their rights to health-care, legal and other services.

Education

10. According to information received, bullying of teenage girls at school through text messages or the Internet is of grave concern. Please provide information on the extent of the phenomenon of bullying and on measures taken to prevent it and to protect children, in particular female teenage students.

11. Please provide detailed information on the recommendations of the report entitled “The teaching of sexuality education in years 7 to 13” and elaborate on the steps taken to implement those recommendations in public and private schools.

Employment

12. The report acknowledges that the gender pay gap has barely decreased in the last decade, remaining at about 12 per cent (para. 91). Please provide detailed information on the challenges faced to decrease the pay gap between men and women and examples of specific efforts and actions taken to close the pay gap between them, as recommended by the Committee in its previous concluding observations (CEDAW/C/NZL/CO/6, para. 35).

13. According to paragraph 21 of the report, the Ministry of Women’s Affairs is currently working on initiatives to tackle occupational segregation in the workplace. Please provide detailed information on the type of initiatives undertaken and their results, in particular measures to address the “subconscious prejudice” mentioned in paragraph 18 of the report. Please also provide information on results obtained from the initiatives in place, mentioned in paragraph 38 of the report, to improve women’s participation in management and decision-making positions in the private sector.

Health

14. According to information received, the increasing rates of teenage pregnancies among girls from lower socio-economic backgrounds, including Maori, and teenage suicides are of serious concern. Please provide updated data on teenage pregnancies and teenage suicides and on their root causes. Please provide information on measures in place to address both teenage pregnancies and teenage suicides.

15. According to appendix B to the report, the abortion legislation in force is outdated and inconsistent. Please provide information on steps taken to review the legislation on abortion contained in the Crimes Act of 1961, as recommended by the Abortion Supervisory Committee.

Disadvantaged groups of women

16. Please provide information on the steps taken to address the reported continued marginalization of migrant women with regard to their access to health-

care services, including measures to ensure the availability of information on existing services to migrant women.

17. Please provide information on measures in place to continue ensuring access to Government services to elderly women, despite the budgetary cuts that have resulted in the reduction of, for example, the carer's allowance for grandparents.

18. The report indicates in paragraph 16 that, as part of a major review of human rights issues, the Human Rights Commission has issued a consultation document on a draft paper on sexual orientation and gender identity. Please provide information on measures taken and envisaged to address discrimination against women on the grounds of their sexual orientation, inter alia, in the workplace and in health facilities.

Maori women

19. Please explain the reasons why Maori women constitute 60 per cent of the total female incarcerated population in the State party. Please provide information on the new Electoral Law, which limits the right to vote of citizens who have been incarcerated, and on how this affects the political rights of Maori women in prison. Please provide information on measures taken to retain Maori girls in school beyond level 2 of the National Certificate of Educational Achievement (NCEA) (para. 63 of the report). Please indicate whether Maori women have adequate access to health-care services.

Marriage and family relations

20. According to information received, a number of non-Christian religious marriages are being celebrated in New Zealand without being registered because the registration of marriages in which the celebrants belong to non-Christian religions is not mandatory and, consequently, the law does not protect the women involved. In addition, polygamy is not a criminal offence in New Zealand. Please provide information on steps taken to review the relevant legislation in order to make compulsory the registration of all marriages and prohibit polygamy.

21. Please provide information on measures taken to address the practice of forced marriages and early marriages within immigrant communities and to protect girls and women subjected to the practice, including changes in legislation.